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February 28, 2020

VIA ECF AND ELECTRONIC MAIL

Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Room 723
New York, New York 10004-1408
Bernstein.chambers@nysb.uscourts.gov

Re: Picard v. Mann et al., Adv. Pro. No. 10-04390

Dear Judge Bernstein:

We are counsel to Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff. We write to advise Your Honor that the Honorable Vernon S. Broderick issued his opinion denying Defendants’ motion to withdraw the reference and motion for leave to appeal in connection with the above-referenced adversary proceeding. A copy of the Opinion & Order, *Picard v. BAM L.P.*, Nos. 19-cv-00812 (VSB), 18-cv-09916 (VSB) (S.D.N.Y. Feb. 26, 2020), ECF Nos. 10, 28, is annexed hereto as Exhibit A. In addition, the Clerk of the Court entered judgment terminating the open motion in 18-cv-09916 (VSB), and closing the appeal at *In re: Bernard L. Madoff Investment Securities LLC*, 19-cv-00812 (VSB). A copy of the Judgment, *Picard v. BAM L.P.*, Nos. 19-cv-00812 (VSB), 18-cv-09916 (VSB) (S.D.N.Y. Feb. 27, 2020), ECF No. 11, is annexed hereto as Exhibit B.

Accordingly, consistent with Your Honor’s direction at the pre-trial conference held on October 30, 2019, the Trustee respectfully requests that the Court schedule a final pre-trial conference on March 25, 2020 at 10:00 a.m., which is the next scheduled omnibus hearing

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date, to address the remaining issue identified in this Court's Memorandum Decision Granting Relief Under Federal Rule of Civil Procedure 56(g) [ECF No. 174].

Respectfully submitted,

/s/ Nicholas J. Cremona

Nicholas J. Cremona
Partner

Enclosures

cc: Arthur H. Ruegger
Carole Neville